

Posted: **7/10/2019**

To: School Food Authorities

Subject: SFS-19-x144 **REMINDER: Final Rule Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements**

The final rule *Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements* (FNS-2017-0021) was published in the Federal Register on December 12, 2018.

Memo SFS-19-27 (posted 12/27/2018) provided information regarding the flexibilities for milk, whole grains and sodium requirements stated in the final rule. As the new school year begins, the State Agency is reminding SFAs of the final rule.

This final rule will codify, with some extensions, three menu planning flexibilities temporarily established by the interim final rule of the same title published November 30, 2017. This final rule will:

- Broaden the milk options in the National School Lunch Program and School Breakfast Program by allowing local operators to permanently offer flavored, low-fat milk. For consistency across nutrition programs, it will also allow flavored, low-fat milk in the Special Milk Program for Children and in the Child and Adult Care Food Program for participants ages 6 and older.
 - **Upon implementation of this rule, NSLP and SBP operators that choose to offer flavored milk must also offer unflavored milk (fat-free or low-fat) at the same meal service. This requirement will ensure that milk variety in the NSLP and SBP is not limited to flavored milk choices.**
 - For consistency, the flavored, low-fat milk option will be extended to beverages for sale during the school day
- Require that half of the weekly grains in the school lunch and breakfast menu be whole grain-rich, thus ending the need for the exemption process.
- Provide schools in the lunch and breakfast programs more time for gradual sodium reduction by retaining Sodium Target 1 through the end of school year (SY) 2023–2024, continuing to Target 2 in SY 2024–2025, and eliminating the Final Target that would have gone into effect in SY 2022– 2023.

By codifying these changes, USDA acknowledges the persistent menu planning challenges experienced by some schools, and affirms its commitment to give schools more control over food service decisions and greater ability to offer wholesome and appealing meals that reflect local preferences.

The rule is available at: <https://www.federalregister.gov/documents/2018/12/12/2018-26762/child-nutrition-programs-flexibilities-for-milk-whole-grains-and-sodium-requirements>